

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALMART INC. and WAL-MART
STORES EAST, LP,

Defendant.

Civil Action No. 20-1744-CFC

MEMORANDUM ORDER

Pending before me is a motion filed by Jay K. Joshi requesting leave to file an amicus curiae brief. D.I. 15.

“[A] district court’s decision to accept or reject an amicus filing is entirely within the court’s discretion.” *In re Nazi Era Cases Against German Defendants Litig.*, 153 F. App’x 819, 827 (3d Cir. 2005) (citation omitted). “[District] [c]ourts will exercise their discretion to allow an *amicus curiae* brief to be filed if [R]ule 29 of the Federal Rules of Appellate Procedure is satisfied by demonstrating, under the most lenient standard, that (1) the movant has an adequate interest in the appeal; (2) the information supplied is desirable; and (3) the information being provided is relevant.” *In re Weinstein Co. Holdings, LLC*, 2020 WL 1320821, at

*1, n.3 (D.Del. Mar. 20, 2020); *see also Neonatology Assocs., P.A. v. C.I.R.*, 293 F.3d 128, 131 (3d Cir. 2002). Joshi's proposed brief provides neither desirable nor relevant information with respect to the legal questions presented in this case.

Accordingly, I will deny his motion.

NOW THEREFORE, at Wilmington this Fourteenth day of June in 2021, **IT IS HEREBY ORDERED** that Jay K. Joshi's Motion for Leave to File Amicus Curiae Brief (D.I. 15) is **DENIED**.



UNITED STATES DISTRICT JUDGE